
DIGEST

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HB No. 565

Abstract: Authorizes the Dept. of Revenue to establish and use an electronic financial institution data match system for purposes of enforcement of tax collection from tax debtors.

Proposed law authorizes the secretary of the Dept. of Revenue to establish and use an electronic financial institution data match system (hereinafter "system") for comparison of personal account information held by financial institutions with the secretary's database of tax debtors against whom an assessment or judgment for the tax has become final.

Proposed law defines terms, including: account, account holder of interest, account information, financial institution, electronic financial institution data match system, and tax debtor.

Proposed law authorizes the secretary to contract with financial institutions for the purpose of enforcing the collection of assessments and judgments that have become final. The contract shall contain such provisions as the secretary and the financial institution deem necessary. The contract shall also provide with respect to the transmission of information from the secretary to the financial institution regarding the names of tax debtors, and the transmission of information from the financial institution to the secretary regarding the names of any account holders who match the names of the tax debtors as identified by the secretary. Further, an intermediary may be retained for any purpose related to proposed law.

Proposed law authorizes the provision of the following data elements for account holders matching the list of tax debtors provided by the secretary: name, record address, social security number, taxpayer identification number, other identifying data, account type, account number, and an average daily account balance for the most recent 30-day period for each calendar quarter for each account held by a tax debtor.

Proposed law authorizes the secretary to use the information received from a financial institution to match against the Dept. of Revenue files of taxpayers whose tax liabilities are delinquent or against the files of any other persons for whom the information is authorized.

Proposed law provides for confidentiality of account information and limits liability of the financial institution with regard to the provision of data to the secretary.

Proposed law provides that the procedures established in proposed law are additional to any other legal remedy available to the secretary for the collection of tax indebtedness.

Proposed law authorizes the promulgation of rules and regulations to implement the provisions of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 47:1543.1)